

MSF
Meister Seelig & Fein PLLC

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: 3/31/2023

Henry E. Mazurek
Partner
Direct (212) 655-3594
Fax (212) 655-3535
hem@msf-law.com

March 31, 2023

VIA ECF

Hon. Nelson S. Roman
United States District Court Judge
Southern District of New York
300 Quarropas Street
White Plains, NY 10601

Re: *United States v. Aron Rosner*, 19-CR-497-3

Dear Judge Roman:

We write on behalf of our client Aron Rosner to request a temporary modification of his conditions of home confinement on supervised release. We are reminded by the Court that home detention was imposed in lieu of incarceration and do not seek a broad exception to the home detention condition. We instead seek a narrow and temporary exception for specific religious purposes. *See United States v. Hernandez*, 209 F.Supp.3d 542 (E.D.N.Y. 2016) (Weinstein, J.) (vacating condition of supervised release curtailing defendant's ability to attend religious services in child pornography case because it was not "narrowly tailored to serve a compelling government interest" so as not to deprive a defendant of First Amendment right to religious observance).

We ask the Court to allow Mr. Rosner to attend religious services during the Passover religious holidays for more than one day per week. Specifically, he seeks to attend services at his local synagogue on the following dates and times during the high holidays of Passover: April 5-13, from 9:30 am to 12:30 pm, and evening ceremonies on April 5-7, from 7-10 pm, and April 12-14, from 7-10 pm.

We have conferred with counsel for the government (AUSA Jamie Bagliebter), who does not oppose this request. The Probation Department defers this decision to the Court. If granted, Mr. Rosner will provide the specific location of the religious services to his supervising Probation Officer.

Respectfully submitted,

/s/ HEM

Henry E. Mazurek
Counsel for Defendant Aron Rosner

MEMO ENDORSED